IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICITON

CENTRAL EXCISE APPEAL NO.276 OF 2006

The Commissioner of Central
Excise, Pune - I .. Appellant.
Versus
M/s.Greaves Limited .. Respondent.

Mr.Mr.K.R. Chaudhari with Mr.H.P. Chaturvedi for the appellant.
Ms.Aarti Sathe for the respondent.

CORAM : F.I. REBELLO &
J.P. DEVADHAR, JJ.

DATED : 28TH SEPTEMBER, 2007.

P.C. :

1. Admit.

2. Both parties agreed that since the order was ex-parte and certain facts have not been considered, the ends of justice will be met if the impugned order is set aside and the matter is remanded back to the Tribunal for fresh consideration in accordance with law.

3. In the light of that, impugned order dated 7th April, 2006 is set aside and the matter is remanded back to the Tribunal for consideration in accordance with law.

4. The appeal stands disposed of in above terms with no order as to costs.

(J.P. DEVADHAR, J.) (F.I. REBELLO, J.)